United States District Court

for the

Eastern District of New York

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Eric Johnson   Case Number: 05 CR 622

Name of Sentencing Judicial Official: The Honorable Thomas J. McAvoy, Chief U.S. District Court Judge
for the Northern District of New York

Name of Current Judicial Officer: The Honorable Dora Irizarry, U.S. District Court Judge
for the Eastern District of New York

Date of Original Sentence: September 7, 1999

Transfer of Jurisdiction: July 2005

Original Offense: 21 U.S.C. 846, Conspiracy to Possess and Distribute Cocaine Base, a class A felony

Original Sentence: 63 months custody and 5 years supervised release with special conditions requiring
participation in a substance abuse treatment program. A special assessment fee of $100
was also ordered.

Sentence Modified: November 2, 2005: In response to the offender's drug use, failure to attend scheduled
substance abuse treatment sessions, and, his failure to maintain legitimate employment,
the Court ordered the offender to serve a four month curfew (to be monitored through
voice recognition software) and also imposed a search condition on his person and
residence.

Type of Supervision: Supervised Release   Date Supervision Commenced: April 30, 2004

Assistant U.S. Attorney: Jacqueline Spratt, Esq.   Defense Attorney: Mitchell Golub, Esq. (Appointed)

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PETITIONING THE COURT

☐   To extend the term of supervision for years, for a total term of years.

☒   To modify the conditions of supervision as follows:

**The defendant shall participate in the home detention program for 6 months, commencing on a date to be determined
by the Probation Department. During that time, the defendant will wear an electronic monitoring device , follow
electronic monitoring procedures, and if so able, pay for the costs of monitoring at the prevailing rate. The defendant
will remain at his place of residence except for employment and other activities approved in advance according to a
schedule to be specified by the Probation Department.**

The defendant shall continue receiving substance abuse treatment focusing on anger management.

The defendant shall maintain full-time employment and/or attend a job training program.

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CAUSE

The offender appeared before Your Honor on July 19, 2006, and informed the Court that he and his mother were willing to have the Probation Department utilize their telephone equipment for electronic monitoring purposes. He also claimed to have a possible job offer for full-time "on the books' employment at a local liquor store, just blocks from his home in Staten Island. Based upon these assertions and the fact he had been cooperating with substance abuse treatment staff as of late, all parties consented to a modification of the offender's conditions of supervised release to include a six month term of home confinement (to be monitored electronically). The Court also ordered that the offender find and maintain full-time employment and/or attend a union job training program that defense counsel discussed at the hearing. Lastly, the offender was also ordered to continue attending the substance abuse treatment program which has been focusing on his anger management issues.

Respectfully submitted by:

Approved by:

Christopher Wodzinski
Senior U.S. Probation Officer
(917)662-9390/(347)534-3550

Lawrence Cavagnetto
Supervising U.S. Probation Officer
Date: July 19, 2006

THE COURT ORDERS:

☑   The requested special conditions are approved.

☐   Other _____

_____   7/20/06
Signature of Judicial Officer   Date